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February 22, 2013

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street SW  
Washington, DC 20554

Re: *Globalstar, Inc. Petition for Rulemaking to Reform the Commission's Regulatory Framework for Terrestrial Use of the Big LEO MSS Band* – RM-11685  
*Ex Parte* Notice

Dear Ms. Dortch:

On Thursday, February 21, 2013, L. Barbee Ponder IV, General Counsel & Vice President, Regulatory Affairs, for Globalstar, Inc. (“Globalstar”), John Dooley, technical advisor to Globalstar and Managing Director of Jarvinian Venture Fund, Steve Berman of Lawler, Metzger, Keeney & Logan, LLC, and I met with Roderick Porter, Gardner Foster, Robert Nelson, Karl Kensinger, and Lynne Montgomery of the International Bureau; John Leibovitz, Lloyd Coward, and Brian Regan of the Wireless Telecommunications Bureau; and Ronald Repasi, Patrick Forster, and Jamison Prime of the Office of Engineering and Technology.

At our meeting, Globalstar’s representatives provided an update on the status of Globalstar’s global “Big LEO” mobile satellite service (“MSS”) network, which it uses today to provide affordable, high-quality MSS to over 550,000 customers in over 120 countries around the world. We described Globalstar’s provision of mission-critical MSS offerings to the public, and apprised Commission staff regarding Globalstar’s deployment of its second-generation Big LEO satellite network. On February 6, 2013, Globalstar completed the launch of its final six second-generation satellites, and these satellites are expected to enter commercial service by this summer.<sup>1</sup> Once fully operational, Globalstar’s second-generation MSS system will support highly reliable, crystal-clear CDMA-quality voice and data satellite services to the more than five billion consumers, public safety personnel, and other customers located within its global footprint well into the next decade.

Globalstar’s representatives also addressed the status of Globalstar’s November 2012 Petition for Rulemaking seeking fundamental reform of the Commission’s terrestrial-use rules

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<sup>1</sup> Press Release, Globalstar, Inc., *Mission Accomplished! Globalstar Announces Successful Fourth Launch of Six Second-Generation Satellites* (Feb. 6, 2013), available at: <<http://www.globalstar.com/en/index.php?cid=7010&pressId=764>>.

and policies in the Big LEO band.<sup>2</sup> In its Petition, Globalstar requested that the Commission initiate two separate rulemakings, including (i) a rulemaking on greater terrestrial flexibility in the Upper Big LEO band (2483.5-2500 MHz) that will permit the near-term provision of Terrestrial Low-Power Service (“TLPS”) and other wireless services in a new “AWS-5” band at 2483.5-2495 MHz,<sup>3</sup> and (ii) a second, parallel proceeding regarding terrestrial use of its Lower Big LEO band spectrum (1610-1617.775 MHz) that will focus initially on technical issues relating to GPS. With the pleading cycle on Globalstar’s petition having closed, we urged the Commission to move forward expeditiously with a Notice of Proposed Rulemaking on Globalstar’s AWS-5 proposal. As the record in this proceeding demonstrates, Globalstar’s proposed AWS-5 services promise rapid and substantial public interest benefits. TLPS deployment alone will quickly add 22 megahertz to the nation’s wireless broadband spectrum inventory as American consumers utilize their smartphones, tablets, and other 802.11-enabled devices to receive this service. In particular, TLPS will help ease the increasing congestion that is diminishing the quality of Wi-Fi service at high-traffic 802.11 hotspots and other locations. In addition, TLPS deployments will deliver meaningful public safety benefits, since still-operating 802.11-based hotspots can provide broadband and voice communications to citizens who otherwise lack access to communications services during disasters.

We pointed out that no commenter on Globalstar’s Petition has provided any reason the Commission should not act quickly to realize the benefits of Globalstar’s AWS-5 services. Globalstar has made clear its commitment to minimize interference to adjacent-band Broadband Radio Service (“BRS”) and Educational Broadband Service (“EBS”) systems and other services, and it recognizes that such interference issues will be a focus of the Commission’s rulemaking. Globalstar has clarified its TLPS proposal in a way that should resolve the concerns of stakeholders in unlicensed spectrum, and has also responded to the rehashed arguments regarding its sharing of Big LEO spectrum with grandfathered Broadcast Auxiliary Service (“BAS”) facilities in the Upper Big LEO band. In addition, there is no merit to Iridium’s outdated, anti-competitive arguments urging the Commission to preserve the ancillary terrestrial component (“ATC”) regime in the Big LEO band. Iridium ignores the Commission’s broadband priorities and the fact that MSS ATC policies have yielded virtually no terrestrial use of MSS spectrum over the past decade. Accordingly, following its recent action in the 2 GHz band, the Commission should undertake similar reforms in the Big LEO band that will bring consumers the benefits of more investment, innovation, and more-intensive use of broadband spectrum.

Finally, Globalstar’s representatives discussed Iridium’s recent Petition for Rulemaking asking the Commission to revisit the band plan in the Lower Big LEO band (1610-1626.5

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<sup>2</sup> Petition for Rulemaking of Globalstar, Inc., RM-11685 (Nov. 13, 2012) (“Globalstar Petition”).

<sup>3</sup> Globalstar will provide TLPS both in the AWS-5 band and in adjacent unlicensed Industrial, Scientific and Medical (“ISM”) frequencies at 2473-2483.5 MHz. Globalstar Petition at 15-18.

MHz).<sup>4</sup> The Commission should immediately reject this petition without placing it on public notice.<sup>5</sup> Iridium's request is a brazen and unsupported attempt to capture almost three megahertz of Big LEO spectrum assigned to and used by Globalstar. The Commission has already examined and re-balanced that Big LEO band plan and there is no basis for revisiting these prior decisions now.

Pursuant to section 1.1206(b) of the Commission's rules,<sup>6</sup> this *ex parte* notification is being filed electronically for inclusion in the public record of the above-referenced proceedings.

Respectfully submitted,

/s/ Regina M. Keeney  
Regina M. Keeney

cc:	Roderick Porter	Lloyd Coward
	Gardner Foster	Brian Regan
	Robert Nelson	Ronald Repasi
	Karl Kensinger	Jamison Prime
	Lynne Montgomery	Patrick Forster
	John Leibovitz	

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<sup>4</sup> Petition for Rulemaking of Iridium Constellation LLC (Feb. 11, 2013); *see also* Motion to Consolidate of Iridium Constellation LLC, RM-11685 (Feb. 11, 2013).

<sup>5</sup> *See* Opposition of Globalstar, Inc. to Motion to Consolidate, RM-11685 (Feb. 21, 2013).

<sup>6</sup> 47 C.F.R. § 1.1206(b).